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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,242	07/30/2003	Donald DeCinque	TELVU-5001	9385

7590 10/02/2007

Daniel H. Golub
1701 Market Street
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EXAMINER	
LIN, JASON K	
ART UNIT	PAPER NUMBER
2623	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/630,242	DECINQUE, DONALD	
	Examiner	Art Unit	
	Jason K. Lin	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/29/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to application No. 10/630,242 filed on 07/30/2003. **Claims 1-8** are pending and have been examined.

Information Disclosure Statement

2. The information disclosure statement (IDS) filed on 12/29/2003 is considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-3, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Scala (botmans.bk) in view of Kuo (US 2002/0078453).

Consider **claim 1,** Scala teaches a method for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), comprising the steps of:

creating content page using a graphical user interface (Chap 1 | P.8) including:

defining a picture size (Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15);

entering text (Chap 2 | P.24);

inserting a visual from a visual source (Chap 2 | P.43-44);

inserting video from a video source (Chap 12 | P.256-259);

inserting audio from an audio source (Chap 13 | P.268-270, P.272-273);

assembling the content page in a digital format (Chap 20 | P.22 teaches creation of entire productions that are created at a computer. *Computers used for the Master Station are digital devices, therefore anything created on a computer is in a digital format*);

repeating the step of creating a content page in order to form a series of content pages (Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script. *These pages were created with Scala as evidenced above in the following cited parts of each chapter*);

delivering the series of content pages to a player at a cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7);

broadcasting the content page as a video signal over the cable channel (Chap 19 | P.60-61).

Scala does not explicitly teach automatically forwarding to the player at the cable headend updated content by fetching updated content over the internet from an on-line content source unaffiliated with a party performing the delivering

or the cable channel and forming an updated content page using the updated content; and

broadcasting the updated content page as a video signal over the cable channel.

In an analogous art, Kuo teaches automatically forwarding to a player at a cable headend updated content by fetching updated content over the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel and forming an updated content page using the updated content (Remote server 198 – Fig.2; Paragraph 0031); and

broadcasting the updated content page as a video signal over the cable channel (Scala - Chap 19 | P.60-61 teaches broadcasting the content page as a video signal over a cable channel. Kuo – Paragraph 0031 teaches updating the content page that is supplied to the user. *Therefore, an updated content page is broadcasted over the cable channel*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include automatically forwarding to the player at the cable headend updated content by fetching updated content over the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel and forming an updated content page using the updated content; and broadcasting the updated content page as a video signal over the cable channel, as taught by Kuo, for the advantage of providing the most up to date information to the user on currently changing information.

Consider **claim 2,** Scala and Kuo teaches wherein text includes a programming code directing the player to an on-line content source (Kuo - Remote server 198 – Fig.2; Paragraph 0031 teaches query links that directly query websites sites such as a weather service site in order to update information on a content page).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Kuo to include wherein wherein text includes a programming code directing the player to an on-line content source, as further taught by Kuo, for the advantage of providing an identified destination of a specific source where particular information updates can be found, simplifying the updating process.

Consider **claim 3,** Scala and Kuo teach the on-line content source is comprised of at least one of a source for weather (Paragraph 0031 teaches the on-line content source can be weather service), news traffic, financial, airport, health or entertainment information.

Consider **claim 7,** Scala teaches a system for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), comprising:

at least one graphical user interface for creating content pages (Chap 1 | P.8);

a network for delivering the content pages to a player at a cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 20 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player);

a cable channel for broadcasting the updated content page as a video signal (Chap 19 | P.60-61).

Scala does not explicitly teach an on-line content source unaffiliated with a party performing the delivery or the cable system;

a player for automatically forwarding to the cable headend updated content by fetching updated content over the internet from the on-line content source and forming updated content page using the updated content; and

a cable channel for broadcasting the updated content page as a video signal.

In an analogous art Kuo teaches, an on-line content source unaffiliated with a party performing the delivery or a cable system (Remote server 198 – Fig.2; Paragraph 0031);

a player for automatically forwarding to the cable headend updated content by fetching updated content over the internet from the on-line content

source and forming updated content page using the updated content (Paragraph 0031); and

a cable channel for broadcasting the updated content page as a video signal (Scala - Chap 19 | P.60-61 teaches broadcasting the content page as a video signal over a cable channel. Kuo – Paragraph 0031 teaches updating the content page that is supplied to the user. *Therefore, an updated content page is broadcasted over the cable channel*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include an on-line content source unaffiliated with a party performing the delivery or a cable system; a player for automatically forwarding to the cable headend updated content by fetching updated content over the internet from the on-line content source and forming updated content page using the updated content; and a cable channel for broadcasting the updated content page as a video signal, as taught by Kuo, for the advantage of providing the most up to date information to the user on currently changing information.

5. **Claims 4, 6, and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615) in view of Scala (botmans.bk), and further in view of Fluss (US 6,304,578).

Consider **claim 4,** Rowe teaches a method for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7:

lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, comprising the steps of:

providing a second graphical user interface that allows a user, unaffiliated with a party performing delivering or plurality of channels, to create an alert (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design and development processes that can be used to produce graphical weather presentations such as alerts);

delivering the alert to an on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations RCONs that are further connected to headend devices);

automatically forwarding to the plurality of players at the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert from an on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

broadcasting the alert as a video signal over the plurality of channels (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach communication and transmission over the internet.

creating content pages using one or more first graphical user interfaces;

delivering the content pages over the internet to a plurality of players at a plurality of channels;

In an analogous art, Scala teaches creating content pages using one or more first graphical user interfaces (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages);

delivering the content pages over internet to a plurality of players at a plurality of channels (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. Chap 20 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room, city, or another country);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include creating content pages using one or more first graphical user interfaces; delivering the content pages to a plurality of players at a plurality of channels, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala does not explicitly teach transmission over the internet.

In an analogous art Fluss teaches, transmission over the internet (Col 4: lines 23-32).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include, transmission over the internet, as taught by Fluss, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Consider **claim 6,** Rowe, Scala, and Fluss teaches wherein the alert is comprised of at least one of a FEMA alert, an Amber alert, a Red Cross request, a Homeland Security alert and a NOAA warning (Rowe - Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 30: lines 4-10 teaches NOAA warnings).

Consider **claim 8,** Rowe teaches a system for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7: lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, comprising:

a second graphical user interface that allows a user, unaffiliated with a party performing the delivering or the plurality of channels, to create an alert (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design

and development processes that can be used to produce graphical weather presentations such as alerts);

a network delivering the alert to an on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 24: lines 61-65 teaches a distribution network that dictates means in which the network distributes content to the RCON. Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations RCONs that are further connected to headend devices);

a plurality of players for automatically forwarding to the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert from an on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

a plurality of channels for broadcasting the alert as a video signal (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach communication and transmission over the internet.

one or more first graphical user interfaces for creating content pages;

a network for delivering the content pages to a plurality of players at a plurality of channels;

In an analogous art Scala teaches, one or more first graphical user interfaces for creating content pages (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages);

a network for delivering the content pages to a plurality of players at a plurality of channels (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include one or more first graphical user interfaces for creating content pages; a network for delivering the content pages to a plurality of players at a plurality of channels, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala does not explicitly teach transmission over the internet.

In an analogous art Fluss teaches, transmission over the internet (Col 4: lines 23-32).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include, transmission over the internet, as taught by Fluss, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

6. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615) in view of Scala (botmans.bk), in view of in view of Fluss (US 6,304,578), and further in view of Kuo (US 2002/0078453).

Consider **claim 5,** Rowe, Scala, and Fluss do not teach wherein the content page includes text comprised of a programming code directing the player to an on-line content source.

In an analogous art Kuo teaches wherein a content page includes text comprised of a programming code directing the player to an on-line content source (Kuo - Remote server 198 – Fig.2; Paragraph 0031 teaches query links that directly query websites sites such as a weather service site in order to update information on a content page).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Kuo to include wherein a content page includes text comprised of a programming code directing the player to an on-line content source, as further taught by Kuo, for the advantage of providing an identified destination of a specific source where particular information updates can be found, simplifying the updating process.

Cited Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lock et al. discloses receiving emergency alerts such as NOAA, amber alert, etc. at the headend via a modem in (US 2003/0121036).

Conclusion

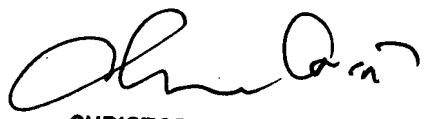
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason K. Lin whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Lin

09/27/2007



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